

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: November 1, 2005
Public Hearing: November 22, 2005

CONTACT PERSON/PHONE: Christina Valles, 541-4930

DISTRICT(S) AFFECTED: 5

SUBJECT:

An Ordinance granting Special Permit No. ZON05-00102, to allow for a Planned Residential Development on a portion of Section 41, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The Penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Ranchos Real IV, Ltd. ZON05-00102 (District 5)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00102, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON A PORTION OF SECTION 41, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, Ranchos Real IV, Ltd. has applied for a Special Permit under Section 20.14.040 of the El Paso Municipal Code, to allow for a planned residential development; and,

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and,

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and,

WHEREAS, the City Council of the City of El Paso finds that, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.320.D of the El Paso Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as *a portion of Section 41, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas, and more particularly described in Exhibit "A"*, is in an **R-5/c (Residential/condition)** District.

2. That a planned residential development is authorized by Special Permit in **R-5/c (Residential/condition)** districts under Section 20.14.040 of the El Paso Municipal Code; and,

3. That the requirements for a planned residential development under Section 20.14.040 have been satisfied; and,

4. That the City Council hereby grants a Special Permit under Section 20.14.040 of the El Paso Municipal Code, to allow a planned residential development on the above-described property; and,

5. That this Special Permit is issued subject to the development standards in the **R-5/c (Residential/condition)** district regulations and subject to the approved Site Development Plan, signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and,

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued; and,

7. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00102** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this _____ day of _____, 2005.


THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

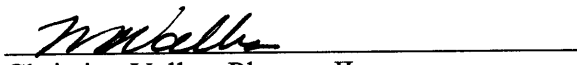
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



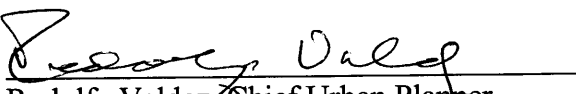
Carolyn J. Crosby
Assistant City Attorney

APPROVED AS TO CONTENT:



Christina Valles, Planner II
Development Service Department
Doc # /Planning/Ord/ZON05-00102/CCRO

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Development Services Department

AGREEMENT

Ranchos Real IV, Ltd., the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the **R-5/c (Residential/condition)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2005.

By: _____
(name/title)

(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2005, by _____, as Applicant.

My Commission Expires:

Notary Public, State of Texas
Notary's Printed or Typed Name:

Being a portion of Section 41, Block 79,
Township 2, Texas & Pacific Railroad Surveys,
City of El Paso, El Paso County, Texas
Prepared for: Southwest Land development Services Inc.
August 17, 2005

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Section 41, Block 79, Township 2, Texas & Pacific Railroad Survey, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at a existing city monument at the centerline intersection of Oxcart Run Street and Edgemere Blvd.; Thence along the centerline of Edgemere Blvd. 122.79 feet along the arc of a curve to the right whose radius is 1560.00 feet whose interior angle is $04^{\circ}30'35''$ whose chord bears North $80^{\circ}45'06''$ West a distance of 122.76 feet to a point; Thence continuing along said centerline 378.94 feet along the arc of a curve to the left whose radius is 1883.85 whose interior angle is $11^{\circ}31'31''$ whose chord bears North $84^{\circ}15'35''$ West a distance of 378.31 feet to a point, thence continuing along said centerline South $89^{\circ}58'40''$ West a distance of 194.99 feet to a point, thence leaving said centerline South $00^{\circ}23'21''$ East a distance of 60.00 feet to a set $\frac{1}{2}$ " rebar with cap marked TX 5152 on the Southerly right of way line of Edgemere Blvd. as dedicated by plat of Vista Real Unit Three Amending Subdivision recorded in volume 74, pages 30, 30A & 30B, Plat records of El Paso County, Texas for the "TRUE POINT OF BEGINNING";

Thence along said right of way line North $89^{\circ}58'40''$ East a distance of 194.60 feet to a set $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence continuing along said right of way line 205.14 feet along the arc of a curve to the right whose radius is 1823.85 feet whose interior angle is $06^{\circ}26'40''$, whose chord bears South $86^{\circ}48'00''$ East a distance of 205.03 feet to a set chiseled V on concrete on the westerly boundary line of block 59, Vista Real Unit Five recorded in volume 74, pages 24A & 24B, plat records of El Paso County, TX.;

Thence along said boundary line South $00^{\circ}24'40''$ East a distance of 763.30 feet to a nail set on rock wall on the northerly boundary line of block 59, Vista Real Unit Five;

Thence along said boundary line South $89^{\circ}58'40''$ West a distance of 649.53 feet to a chiseled V set on concrete sidewalk on the easterly right of way line of Saul Kleinfeld Drive;

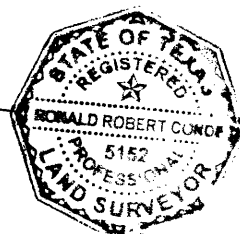
Thence along said right of way line North $00^{\circ}23'21''$ West a distance of 439.82 feet to a point;

Thence leaving said right of way line North $89^{\circ}58'40''$ East a distance of 250.00 feet to a point;

Thence North $00^{\circ}23'21''$ West a distance of 335.00 feet to the "TRUE POINT OF BEGINNING" and containing in all 418,610 Sq. Ft or 9.61 Acres of land more or less.

NOTE: Bearings based on centerline monumentation on Edgemere Blvd. and Oxcart Run St. per plats of Villa Del Este Unit Three Amending Subdivision as Recorded in Volume 74, Pages 30, 30A, and 30B, and Vista Real Unit Five recorded in volume 74, pages 24A and 24B, Plat Records of El Paso County, Texas.

R.R.C.
Ron R. Conde
R.P.L.S. No. 5152



Job# 705-25
R.C.

EXHIBIT "A"

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79935 / (915) 592-0283

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DEPUTY DIRECTOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

October 24, 2005

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00102

The City Plan Commission (CPC), on October 20, 2005, voted **7-0** to recommend **APPROVAL** of this special permit request for a Planned Residential Development, concurring with Staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request is in the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this application.

Attachment: Location Map, Site Plan.

STAFF REPORT

Special Use Permit #: ZON05-00102

Property Owner(s): Ranchos Real IV, Ltd.

Applicant(s): Ranchos Real IV, Ltd.

Representative(s): Conde, Inc.

Legal Description: A portion of Section 41, Block 79, Township 2, Texas and Pacific Railroad Company Surveys

Location: Edgemere & Saul Kleinfeld

Representative District: # 5

Area: 9.61 Acres (ZON05-00102 Square Feet)

Zoning: C-3/c (Commercial/condition)

Existing Use: Vacant

Proposed Use: Planned Residential Development to allow reduced setbacks – 20' rear, and lot width no less than 42 feet

Recognized Neighborhood Associations Contacted: Album Park Preservation Association; East Side Civic Association

Surrounding Land Uses:

North -	C-3/c (Commercial/condition) / Vacant
South -	R-5/c (Residential/conditions) /Single-family residential
East -	R-5/c/sp (Residential/condition/special permit) / Single-family residential
West-	C-1/c (Commercial/condition), R-3A/sp (Residential/special permit) / Vacant, Single-family residential

Year 2025 Designation: Residential (East Planning Area)

**CITY PLAN COMMISSION HEARING, OCTOBER 20, 2005
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

ITEM # 2

Special Use Permit: ZON05-00102

General Information:

The applicant is requesting a special permit for a Planned Residential Development to allow for a reduced front rear yard setback of 20 feet and lot width no less than 42 feet. The property is currently zoned C-3 (Commercial). The site is currently vacant and is 9.61 acres in size. The proposed site plan shows 48 residential lots to be located on the site. Access is proposed via Edgemere Blvd. and Saul Kleinfeld Dr. There is a condition on the property that requires all medians on Edgemere Blvd. between Saul Kleinfeld and Joe Battle be landscaped.

Information to the Commission:

The Planning Division has received no calls or letters in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this special permit request.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.”

The Year 2025 Projected General Land Use Map for the East Planning Area designates this property for Residential land uses.

C-3 (Commercial) zoning permits a Planned Residential Development by special permit.

The Commission must determine the following:

Will the special permit for a Planned Residential Development protect the best interest, health, safety and welfare of the public in general?

Information To The Applicant:

Building Permits and Inspections Division Notes:

Meets lot and yard standards for single family dwelling units only.

Land Development Section Notes:

No Comments.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

No Comments.

El Paso Water Utilities Notes:

No objections.

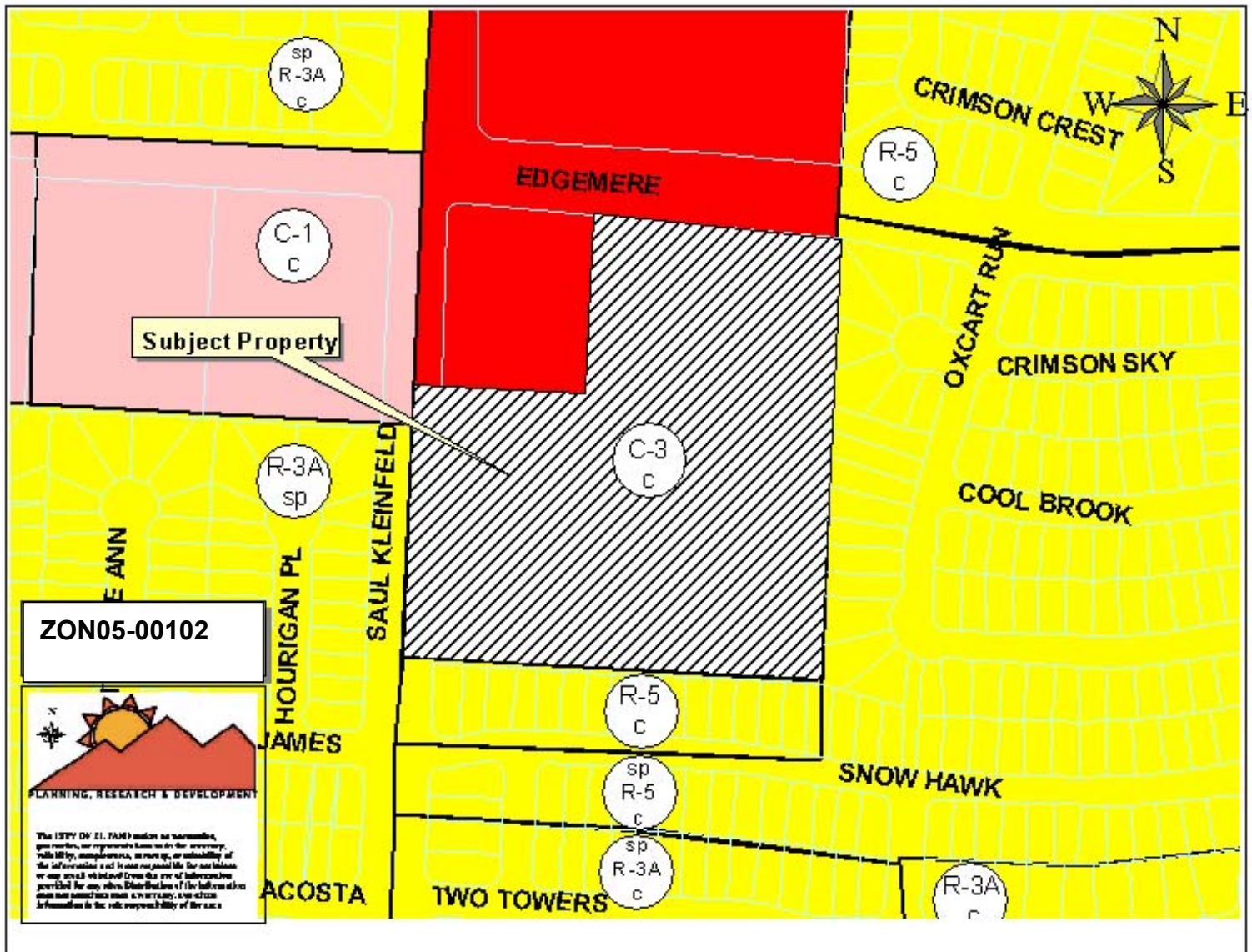
Planning Division Notes:

Recommend approval of this request for rezoning.

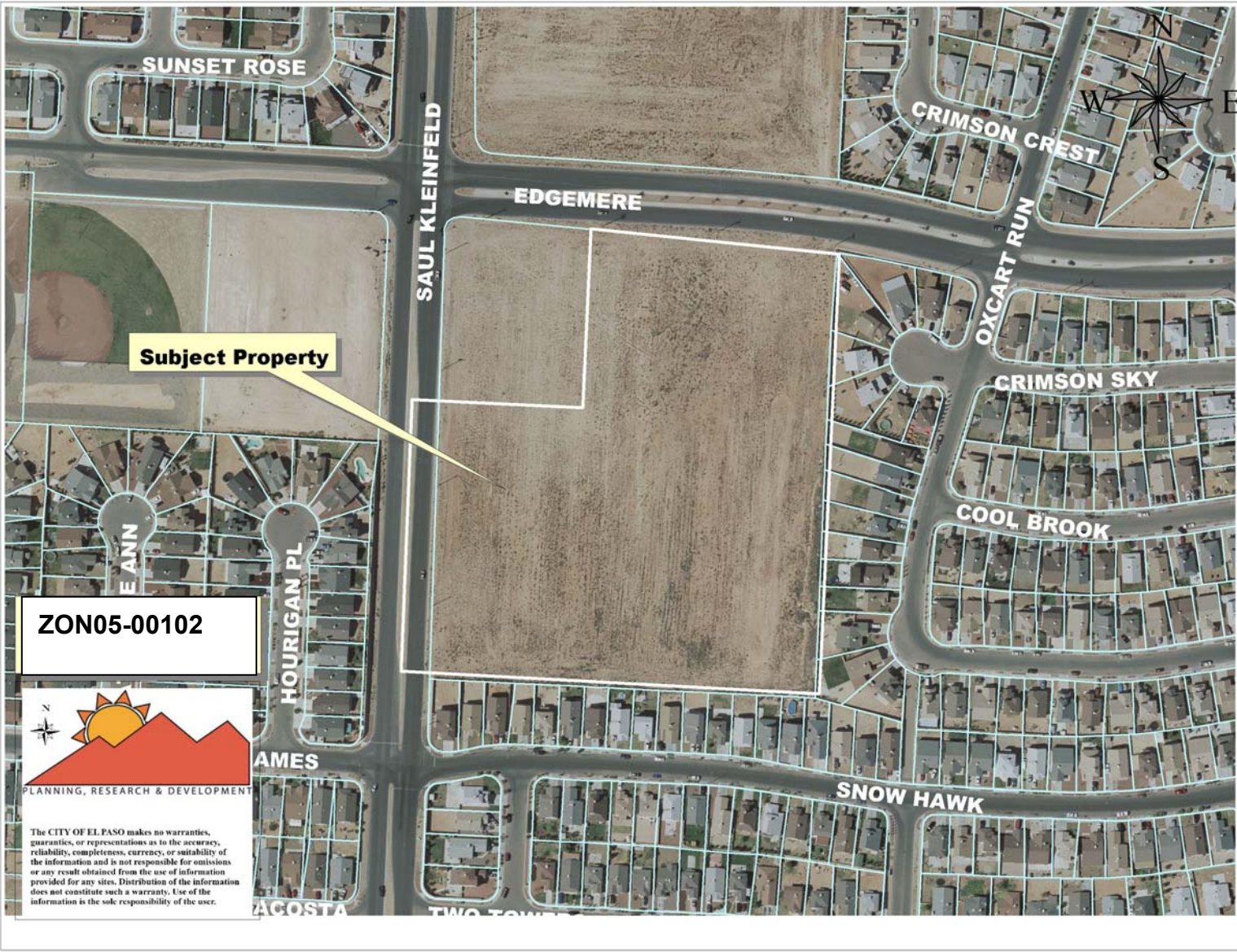
ATTACHMENT: Site Plan; Location Map.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL MAP



SITE PLAN

